

FOI Disclosures January 2025

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This month we have responded to questions relating to the following topics:

- [Referrals from Nottinghamshire, Derbyshire and Lincolnshire Police](#)
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- [IOPC cases from Home Office Police Forces](#)
- [Police compliance with recording complaints](#)
- [Investigation into death of Sean Rigg](#)

If you require a full copy of any of the embedded attachments, please contact Requestinfo@policeconduct.gov.uk quoting the reference number from the relevant response.

<u>Ref</u> <u>5025236</u> Back to top	<u>Referrals from Nottinghamshire, Derbyshire and Lincolnshire Police</u>
<u>Request</u>	<i>"I wish to know how many referrals there have been to the Independent Office of Police Conduct (IOPC) over conduct by officers in Nottinghamshire, Derbyshire and Lincolnshire Police from the year 2020 to the present day, 2024, and whether they were voluntary or mandatory referrals."</i>
<u>Response</u>	<p>Please find below the data you requested relating to Derbyshire, Lincolnshire and Nottinghamshire police forces.</p> <p>Please be aware of the following caveats when considering this information.</p> <p>The data considers overt referrals only and is taken from live data which may differ from previously published data and statistics. Data is for illustrative purposes only.</p> <p>The appropriate authority as well as other case attributes is dependent on accurate data recording in the IOPC case management system (CMS) by operational teams. The case type (whether complaint, conduct or DSI) reflects the current case type of the CMS case on which the relevant referral sits. However as the case type is recorded at case level rather than referral level, if a case has had more than one referral received in its life, only the most recent case type will show against all referrals on the case. This needs to be considered when looking at the analysis by case type. Complaint and DSI referrals will not necessarily involve conduct of officers.</p> <p>Referrals data can be found in the police force bulletins for the relevant police forces and can be found on the following page of our website: Police force data Independent Office for Police Conduct (IOPC). The latest bulletins provide data</p>

for quarter 2 (April to September 2024) and previous bulletins are available for the period requested.

The following data is based on Derbyshire Constabulary, Lincolnshire Police and Nottinghamshire Police referrals completed by the IOPC in the period 1 January 2020 to 31 December 2024 inclusive. We have provided the number of referrals that were made mandatorily and voluntarily for each force.

In terms of the reason for the referral – we have provided a broad overview of whether the referral was made because of a death or serious injury matter (DSI), a complaint or a recordable conduct matter.

DERBYSHIRE

Derbyshire

Table showing the number of Derbyshire referrals by Referral type from 01.01.20-31.12.24

Year	Mandatory	Voluntary
2020	37	0
2021	42	1
2022	52	2
2023	77	4
2024	180	4
Total	388	11

Table showing the number of Derbyshire referrals by Case Type from 01.01.20-31.12.24

Year	Complaint	Conduct	DSI
2020	8	10	19
2021	10	8	25
2022	14	5	35
2023	22	15	44
2024	45	27	112
Total	99	65	235

Table showing the total number of Derbyshire referrals from 01.01.20-31.12.24

Year	Total number of Referrals
2020	37
2021	43
2022	54
2023	81
2024	184
Total	399

Table showing the number of MOI Decision types by Case type of Derbyshire referrals from 01.01.20-31.12.24

Complaint					Conduct					DSI					Total					
Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	
0	0	0	8	0	0	0	0	10	0	0	3	0	4	12	0	3	0	3	0	12
0	1	0	9	0	0	0	0	8	0	0	0	0	1	24	0	1	0	1	0	18
0	0	0	14	0	0	0	0	5	0	0	1	1	3	30	0	1	1	1	22	30
0	0	0	20	2	2	1	0	12	0	0	2	1	3	38	2	3	1	3	35	40
0	0	0	39	6	0	2	3	22	0	0	6	3	39	64	0	8	6	100	70	70
0	1	0	90	8	2	3	3	57	0	0	12	5	50	168	2	16	8	197	176	176

LINCOLNSHIRE

Lincolnshire

Table showing the number of Lincolnshire referrals by Referral type from 01.01.20-31.12.24

Year	Mandatory	Voluntary
2020	30	2
2021	65	0
2022	59	0
2023	56	2
2024	85	3
Total	295	7

Table showing the number of Lincolnshire referrals by Case Type from 01.01.20-31.12.24

Year	Complaint	Conduct	DSI
2020	10	10	12
2021	23	20	22
2022	30	10	19
2023	26	10	22
2024	39	17	32
Total	128	67	107

Table showing the total number of Lincolnshire referrals from 01.01.20-31.12.24

Year	Total number of Referrals
2020	32
2021	65
2022	59
2023	58
2024	88
Total	302

Table showing the number of MOI Decision types by Case type of Lincolnshire referrals from 01.01.20-31.12.24

Complaint					Conduct					DSI					Total					
Year	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force
2020	0	0	0	9	1	0	0	0	10	0	0	1	1	2	8	0	1	1	21	9
2021	0	0	0	20	3	0	4	0	16	0	0	1	0	2	19	0	5	0	38	22
2022	0	0	1	27	2	0	1	0	9	0	0	1	1	0	17	0	2	2	36	19
2023	0	2	0	22	2	0	0	0	10	0	0	6	1	2	13	0	8	1	34	15
2024	0	2	0	33	4	1	2	0	13	1	0	0	1	19	12	1	4	1	65	17
Total	0	4	1	111	12	1	7	0	58	1	0	9	4	25	68	1	20	5	194	82

NOTTINGHAMSHIRE

Nottinghamshire

Table showing the number of Nottinghamshire referrals by Referral type from 01.01.20-31.12.24

Year	Mandatory	Voluntary
2020	35	2
2021	61	3
2022	57	4
2023	80	12
2024	138	11
Total	371	32

Table showing the number of Nottinghamshire referrals by Case Type from 01.01.20-31.12.24

Year	Complaint	Conduct	DSI
2020	6	7	24
2021	8	14	42
2022	20	12	29
2023	39	19	34
2024	67	28	64
Total	130	80	193

Table showing the total number of Nottinghamshire referrals from 01.01.20-31.12.24

Year	Total number of Referrals
2020	37
2021	64
2022	61
2023	92
2024	149
Total	403

Table showing the number of MOI Decision types by Case type of Nottinghamshire referrals from 01.01.20-31.12.24

Complaint					Conduct					DSI					Total					
Year	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force	Directed	Independent	Invalid	Local	Return to Force
0	0	0	6	0	1	0	0	6	0	0	0	0	0	24	1	0	0	0	12	24
0	0	0	7	1	3	1	1	8	1	0	2	1	4	35	3	3	3	2	19	37
0	3	0	16	1	0	0	0	11	1	0	1	1	3	24	0	4	1	30	26	26
0	0	0	38	1	1	0	0	18	0	0	4	1	5	24	1	4	1	61	25	25
0	4	2	45	6	0	0	0	27	1	0	4	6	22	31	0	8	8	94	38	38
0	7	2	112	9	5	1	1	70	3	0	11	9	34	138	5	19	12	216	150	150

<p>Ref <u>5025250</u> Back to top</p>	<p><u>Sir David Calvert Smith's independent review</u></p>
<p><u>Request</u></p>	<p><i>Under the Freedom of Information Act 2000, I wish to see the full 18-page copy of Sir David Calvert Smith's independent review. I am aware that a 6-page summary has already been published, but I want to see the full report.</i></p>
<p><u>Response</u></p>	<p>The IOPC holds this information but we are refusing to provide it because it is exempt under section 40(2) and section 42(1) of the FOIA and because, in the case of section 42(1), the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>The report by Sir David Calvert-Smith relates to the series of events that led to the resignation of Michael Lockwood as IOPC Director General, including what was known to whom and when, and what they did with this information. The report describes the circumstances of Mr Lockwood's resignation and identifies the persons at the IOPC and the Home Office who were involved in these events.</p> <p>The review was conducted by Sir David Calvert-Smith, a former Director of Public Prosecutions who was wholly independent of the IOPC and is of the utmost integrity. A summary of his report has been published by the IOPC: Independent review into Michael Lockwood resignation. He concluded that everyone at the IOPC behaved appropriately in what was a difficult and unprecedented set of circumstances.</p> <p>Unlike the published summary, the full report sets out the sequence of events leading up to the resignation based on the accounts and documents that Sir David collected from the persons involved. This means that disclosure could assist the public in assessing how far the findings of the review (as confirmed by the summary) are supported by the evidence that he considered and whether his conclusions were reasonable. While there is little if any basis for suspecting or believing otherwise, disclosure of the personal information in the full report may serve the legitimate interest of providing accountability for the published findings.</p> <p>There are no less intrusive means of achieving the possible legitimate aim we have identified than to disclose the more detailed information in the full report. In weighing the balance between the interests of the data subjects and the possible legitimate interest being pursued, we have considered the likelihood of detriment resulting from disclosure of this personal data under FOIA and whether this would be within the reasonable expectations of the individuals concerned.</p> <p>The personal information in this report is especially sensitive to Michael Lockwood, owing to its focus on the circumstances of his decision to resign when he did. Disclosure would therefore be likely to result in significant harm or distress to Mr Lockwood that would have to be justified to avoid contravening the data protection principles.</p> <p>One of the objectives of the review was to establish what was known to whom and when, and what they did with that information. Another was to understand to what extent decisions and actions taken met good</p>

governance requirements. The full report therefore discusses whether named individuals responded appropriately to these events and considers the personal opinions of individuals about what happened. These witnesses did not reasonably expect when they agreed to cooperate with the review that this level of detail would be published to the world at large.

In setting out the findings of the review and the reasons for them, the summary on our website is in our view sufficient to meet the possible legitimate interest we have identified. Even if there is a legitimate interest in further disclosure, having regard to the published information and the sensitive context of these events, we find it could not outweigh the data subjects' right to privacy in respect of the more detailed information contained in the full report.

The exemption under section 42(1) applies to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. The principle of legal professional privilege is based upon the need to protect a client's confidence that any communication will be treated in confidence and not disclosed without their consent.

As section 42 exempts information in respect of which such privilege could be claimed in legal proceedings, it does not require that any legal proceedings are in fact contemplated or in progress.

The information you have requested includes information that consists of legal advice from the IOPC's General Counsel. We have decided, therefore, that legal professional privilege applies to it.

This legal advice was amongst the information considered under the review in deciding on whether the decisions and actions taken were appropriate and met good governance requirements.

The principle of legal professional privilege is based upon the need to protect a client's confidence that any communication will be treated in confidence and not disclosed without consent.

We consider, therefore, that there are strong public interest reasons for protecting the privileged status of this legal advice.

As reflected in decisions of the Information Commissioner and Tribunal, the public interest in maintaining this exemption is always strong. The report was conducted by a former Director of Public Prosecutions who concluded that the actions taken in this unprecedented situation were in accordance with the rules and policies and found there was no indication that the decisions of the persons involved were inappropriate.

We consider the public interest in disclosure of this advice to be reduced by the authority of the report's author, his findings and the information already available to the public. We have concluded that the public interest in maintaining the exemption under section 42(1) outweighs the public interest in disclosure.

Ref <u>5025257</u> Back to top	<u>Material related to Martyn Blake acquittal</u>
<u>Request</u>	<p><i>Under the Freedom of Information Act 2000 I wish to see full copies of the following material relating to the decision to acquit Sergeant Martyn Blake announced on 21, October:</i></p> <ol style="list-style-type: none"> 1. <i>Any communications plans/strategies (including drafts).</i> 2. <i>Lines to take (including drafts).</i> 3. <i>Pre-prepared statements and press releases (including drafts).</i> 4. <i>Records of relevant meetings of the press/media team.</i> 5. <i>- Media briefing packs.</i>
<u>Response</u>	<ol style="list-style-type: none"> 1. No information is held. 2. Please refer to the attached document for our lines to take. We have made minimal redactions to a comment that has been made on the draft document to remove information that references a different and unconnected case and therefore does not fall within scope and to remove information that identifies the commenter. 3. Please refer to the attached document for our pre-prepared statement and drafts. 4. No information is held. 5. Please refer to the attached document which includes the IOPC briefing note to media.

FOI request 5025257 documents for disclosure

Draft and actual press statements

ACQUITTAL [Draft document]

Firstly, we want to acknowledge Chris Kaba's family and friends today as they continue to grieve his death more than two years on. Our thoughts and sympathies remain with them and everyone else who has been affected.

The past few weeks must have been incredibly difficult and distressing for Chris's family who have sat through the trial, listened to all the evidence and witnessed his final moments played out in court.

We also recognise the impact that this trial has had on the officer involved, as well as his firearms colleagues and the wider policing community.

Today a jury, having considered all the evidence, has acquitted Police Sergeant Martyn Blake of murder.

We appreciate this trial will have been of significant public interest, and particularly so within our Black communities.

The IOPC's role is to independently investigate the circumstances surrounding a fatal police shooting, including the decision to use lethal force. Under the law, firearms officers can use lethal force, however it must be reasonable in the circumstances the officer honestly believed them to be.

The decisions to criminally investigate Sergeant Blake, and then to refer the case to the Crown Prosecution Service (CPS), followed careful consideration of a significant amount of evidence gathered during our independent investigation and by applying the relevant legal tests which govern our work.

Following the CPS decision to charge Martyn Blake with murder, the matter has now been heard in open court and the officer has accounted for his actions before a jury.

Ultimately it is that jury's decision, having carefully considered all the evidence, to determine guilt or innocence and we respect that decision and thank them for their consideration.

Armed policing plays a crucial part in protecting our communities and keeping the public safe from danger. Firearms officers can, and do, find themselves in extremely dangerous and volatile situations where they are forced to make difficult and quick decisions under intense pressure.

It's important to recognise that fatal police shootings are rare, particularly in relation to the volume of incidents firearms officers are called to attend. And it is rarer still that they result in criminal or misconduct proceedings for the officer who fired the fatal shot.

Over the past 10 years the IOPC – or our predecessor the IPCC - has undertaken 26 investigations into fatal police shootings. In one other case we referred a file of evidence to the CPS to consider a criminal charge for the officer who fired the shot.

STATEMENT FOR ACQUITTAL: [Draft]

Firstly, we want to acknowledge Chris Kaba's family and friends today as they continue to grieve his death more than two years later. Our thoughts and sympathies remain with them and everyone else who has been affected.

The past few weeks must have been incredibly difficult and distressing for Chris's family who have sat through the trial, listened to all the evidence and witnessed his final moments played out in court.

We also recognise the impact that this trial has had on the officer involved, as well as his firearms colleagues and the policing community more widely.

Today a jury, having considered all the evidence, has acquitted Police Sergeant Martyn Blake of murder.

We appreciate this trial will have been of interest, and particularly so within our Black communities. Following the CPS decision to authorise a murder charge, the matter has now been heard in open court and the officer has accounted for his actions before a jury.

Ultimately it is that jury's decision, having carefully considered all the evidence, to determine guilt or innocence and we respect that decision and thank them for their consideration.

Armed policing plays a crucial part in protecting our communities and keeping the public safe from danger. Firearms officers can, and do, find themselves in extremely dangerous and volatile situations where they are forced to make difficult and quick decisions under intense pressure.

But when a fatal police shooting occurs it's vital that the circumstances surrounding the incident are independently investigated, including the decision to use lethal force. Under the law, firearms officers can use lethal force, however it must be reasonable in the circumstances the officer honestly believed them to be.

The decisions to criminally investigate Sergeant Blake, and then to refer the case to the Crown Prosecution Service (CPS), were not taken lightly, and followed careful consideration of a significant amount of evidence gathered during our robust independent investigation and by applying the required legal tests.

It's important to recognise that fatal police shootings are rare, particularly in relation to the volume of incidents firearms officers are called to attend. And it is rarer still that they result in criminal or misconduct proceedings for the officer who fired the fatal shot.

Over the past 10 years the IOPC – or our predecessor the IPCC - has undertaken 26 investigations into fatal police shootings. In only one other case have we referred a file of evidence to the CPS to consider a criminal charge for the officer who fired the shot.

STATEMENT FOR ACQUITTAL: [Draft]

Firstly, we want to acknowledge Chris Kaba's family and friends today as they continue to grieve his death more than two years later. Our thoughts and sympathies remain with them and everyone else who has been affected.

The past few weeks must have been incredibly difficult and distressing for Chris's family who have sat through the trial, listened to all the evidence and witnessed his final moments played out in court.

We also recognise the impact that this trial has had on the officer involved, as well as his firearms colleagues and the policing community more widely.

Today a jury, having considered all the evidence, has acquitted Police Sergeant Martyn Blake of murder.

We appreciate this trial will have been of significant public interest, and particularly so within our Black communities. Following the CPS decision to charge Martyn Blake with murder, the matter has now been heard in open court and the officer has accounted for his actions before a jury.

Ultimately it is that jury's decision, having carefully considered all the evidence, to determine guilt or innocence and we respect that decision and thank them for their consideration.

Armed policing plays a crucial part in protecting our communities and keeping the public safe from danger. Firearms officers can, and do, find themselves in extremely dangerous and volatile situations where they are forced to make difficult and quick decisions under intense pressure.

Our role, as set out in legislation, is to independently investigate the circumstances surrounding a fatal police shooting, including the decision to use lethal force. Under the law, firearms officers can use lethal force, however it must be reasonable in the circumstances the officer honestly believed them to be.

The decisions to criminally investigate Sergeant Blake, and then to refer the case to the Crown Prosecution Service (CPS), were not taken lightly, and followed careful consideration of a significant amount of evidence gathered during our robust independent investigation and by applying the required tests set out in law.

At the end of our investigation, we were required to decide whether the officer should also face disciplinary proceedings for potentially breaching the police standards of professional behaviour. We decided that Martyn Blake should face a gross misconduct hearing relating to his use of force.

As is standard practice when an officer is acquitted after a trial, we will review whether disciplinary proceedings remain appropriate, taking into account the evidence at the trial and any representations made by the Met [who originally agreed with our gross misconduct decision].

It's important to recognise that fatal police shootings are rare, particularly in relation to the volume of incidents firearms officers are called to attend. And it is rarer still that they result in criminal or misconduct proceedings for the officer who fired the fatal shot.

Over the past 10 years the IOPC – or our predecessor the IPCC - has undertaken 26 investigations into fatal police shootings. In only one other case have we referred a file of evidence to the CPS to consider a criminal charge for the officer who fired the shot.

Published statement can be found on our website : [Statement following the acquittal of Sergeant Martyn Blake of the murder of Chris Kaba | Independent Office for Police Conduct \(IOPC\)](#)

Lines to take [draft with comments]

Q+A's

If asked following HO announcement to changes to police accountability or response to Met Police criticism of the accountability system

We have been saying for some time that the accountability system for holding the police to account needs fundamental reform. The current system is far too complex and the statutory guidance and legal framework do not support timely and efficient investigations, rather it creates an environment of delay, legal challenge and lack of clarity for all involved.

Rigorous independent scrutiny is not a threat: it is a protection, but we know that accountability and scrutiny can feel deeply uncomfortable for the individuals and organisations involved. We all want to get the balance right between scrutiny which protects the public but doesn't leave the police afraid to use their powers to keep us safe.

The IOPC made submissions to the previous government on proposals we believed would improve the accountability system, including higher thresholds for when a referral is made to the CPS at the end of an investigation. The previous government's response earlier this year included three changes to the law which we had proposed. We would welcome and support the Home Office progressing these law changes to improve the effectiveness of the framework that holds officers to account, so the public and policing alike can have trust and confidence in the system.

Our response to the accountability review can be found here: [IOPC response to the Government police accountability review | Independent Office for Police Conduct \(IOPC\)](#)

Criticisms from pol fed/others that we unfairly target officers/are out to get them

This is not true. We are concerned that there remains a persistent narrative within some parts of policing that IOPC decision-making is politically motivated, that we are seeking to prosecute officers and are 'out to get them'. The facts do not support this.

Fatal police shootings are thankfully very rare, and it is equally rare for the firearms officers involved to be subject to criminal investigations. In the past 10 years, the IOPC – or our predecessor the IPCC have undertaken 26 investigations into fatal shootings. In only one other case have we referred a file of evidence to the CPS to consider a criminal charge for the officer who fired the shot.

The decision to criminally investigate officer Blake, and later to refer the case to the Crown Prosecution Service (CPS), were not decisions taken lightly and were made after carefully considering a significant amount of evidence that we gathered during our investigation.

Given that the evidence we gathered in our investigation indicated that officer Blake's decision to shoot and kill Chris Kaba may not have been reasonable, in the circumstances he believed them to be, it was right that the evidence was heard in open court and put before a jury, so the officer could be held to account.

If Martyn Blake is acquitted, why doesn't that automatically result in no CTA for gross misconduct?

The criminal law test of self-defence applied in the criminal proceedings. This means that to find Martyn Blake guilty, the jury would have had to find, beyond reasonable doubt, that the force used by him was unreasonable in the circumstances he honestly believed them to be, including his belief that his own or other officers' lives were in immediate danger. The acquittal means they could not be sure of that.

The test for proving misconduct in disciplinary proceedings is different to the one the jury applied. A disciplinary panel must decide on the balance of probabilities if the force used was necessary, proportionate and reasonable in all the circumstances. This means that the panel will apply the civil law test of self-defence, which requires that the officer's belief must be reasonably held in order to rely upon it. Therefore, the panel will apply a lower standard of proof and consider if the officer's belief about the danger he and his colleagues were in was reasonable, not just whether it was honestly held.

It is not for the IOPC to find if there was misconduct by the officer. The law and guidance, as confirmed by the [Supreme Court in 2023](#) and in previous case law, requires the IOPC to direct disciplinary proceedings if a reasonable disciplinary panel could (not would) find that the force used was not necessary, proportionate and reasonable in all the circumstances.

What was your reasoning for referring the matter to the CPS?

The case was referred to the CPS for a charging decision having applied the relevant legal tests.

At the conclusion of our investigation in March 2023, we provided a file of evidence to the Crown Prosecution Service to consider whether Martyn Blake should be charged with a criminal offence. In September 2023, the CPS authorised the murder charge.

Does the law for murder need to change?

Legislation is a matter for parliament.

Media briefing note:

Briefing Note for media

Commented [redacted]: Before we go in to the legal tests can we make the simple point that these are different processes for different objectives
Criminal trials are about whether you have broken the law whereas misconduct is about professional standards in policing - more akin to fitness to practice as in other professions

There a 3 objectives set out re purpose of m/c system which we could drop in and use here [redacted]



IOPC briefing note – not for publication until the conclusion of the Martyn Blake trial

This briefing note is intended to provide background context about the IOPC's investigation into the fatal police shooting of Chris Kaba in 2022, for media reporting following the conclusion of the murder trial for Martyn Blake.

It is the responsibility of the media to check with the court and abide by any reporting restrictions in place. Any contemporaneous court reporting should be based on what is said in open court.

IOPC investigation

Under the Police Reform Act 2002, the police must refer to the IOPC any circumstances in which a person has died or sustained a serious injury and:

- they were in custody or under arrest or
- at or before the time of the death or serious injury the person had contact with a person serving with the police and there is an indication that the contact may have caused or contributed to the death or serious injury.

The Met's Directorate of Professional Standards notified the IOPC that there had been a police shooting shortly after 11.20pm on 5 September.

An independent investigation was declared and on-call IOPC investigators were sent to the scene of the shooting. When an independent investigation is declared, the IOPC has direction and control of the scene.

The scene was forensically examined over the course of three days, with evidence gathered by IOPC investigators.

We instructed and oversaw forensic work which included:

- A 3-D laser scan of the scene
- The use of a ballistics expert
- The use of a forensic collision investigator
- Forensic examinations of the Audi that Chris Kaba was driving, two police vehicles and a

member of the public's vehicle that was damaged during the incident.

A search of the Audi and the surrounding area was carried out but no firearm was located.

IOPC investigators attended two police post incident procedures (PIP) at Leman Street Police Station in east London. A PIP is where officers are asked to provide witness statements following an incident where a member of the public has died or been seriously injured following police contact.

There were 11 officers, including Martyn Blake (NX121), and four police vehicles present at the time the shot was fired. In total there were 23 officers, including tactical commanders and advisors in the control room, and further officers who assisted with first aid, that we obtained accounts from.

Several IOPC investigators went to the scene of the incident and the PIP process to ensure independent oversight. Other investigators and IOPC staff also provided family liaison support to Mr Kaba's family and engaged with various community stakeholders.

Once we had reviewed the available evidence, Martyn Blake was notified on 9 September that he was under investigation for murder and for gross misconduct. We decided that he should be removed from the second post incident process.

All remaining officers were identified as key police witnesses and were not under misconduct or criminal investigation.

Martyn Blake was interviewed under criminal caution on 21 October 2022. He provided a written response.

We obtained and reviewed in-car footage from four police vehicles, three of which had been involved in the initial follow of Mr Kaba's vehicle, and the fourth vehicle that was already present on Kirkstall Gardens. We also retained body worn video (BWV) from the officers involved, along with aerial footage from the National Police Air Service (NPAS).

Investigators conducted house-to-house witness enquiries and CCTV trawls on Kirkstall Gardens and the surrounding area.

Other police records were reviewed including incident logs and the operational briefing circulated to officers ahead of their shift relating to the Audi that was associated with the firearms incident reported the previous night.

An account was obtained from a person that Chris Kaba had been speaking to on the phone while officers were following the Audi.

Investigators reviewed national and local policies and guidance, including the College of Policing's Authorised Professional Practice (APP), the national police firearms training curriculum and MPS training material for firearms officers. Martyn Blake's firearms training history was also reviewed.

Investigators also obtained a statement from an expert from the College of Policing regarding the use of enforced stops by firearms officers.

Investigators attended the post-mortem and toxicology results were also obtained.

As is common practice for investigations where there is an indication of a criminal offence, the IOPC liaised with the Crown Prosecution Service (CPS) during the investigation for early advice following the identification of a potential criminal offence.

The IOPC kept Mr Kaba's family updated throughout our investigation and met with them on a number of occasions.

Our investigation concluded within seven months and in March 2023, we referred a file of evidence to the CPS to determine whether Martyn Blake should be charged. In September 2023 the CPS authorised the murder charge.

In preparation for criminal proceedings, the IOPC commissioned an external company to create a 3D reconstruction of the incident, showing where each officer was standing in relation to the Audi when the shooting occurred.

An anonymity order was made and in March 2024, this was partially lifted by the court and the officer could be identified as Martyn Blake.

Disciplinary proceedings following the trial

At the conclusion of our investigation, the IOPC had to also decide whether any officers should face any disciplinary proceedings for potential breaches of the police standard of professional behaviour.

We decided that Martyn Blake should face a gross misconduct hearing relating to his use of force and, as required by law, before making that decision final, we shared it and our final report, with the Met to provide its view on whether there should be misconduct proceedings.

Disciplinary hearings are usually arranged after criminal matters have concluded.

If Martyn Blake is convicted of murder, an accelerated misconduct hearing may be arranged by the force.

If the officer is acquitted, we will review whether disciplinary proceedings remain appropriate, taking into account the evidence at the trial and any further representations made by the Met.

This review process is standard practice for investigations where an officer is acquitted of criminal charges but was also found to have a case to answer for gross misconduct, and we will liaise with the Met around disciplinary matters following the trial.

It's important to note that the IOPC does not decide whether an officer's actions amount to gross misconduct – that is the role of a disciplinary panel to determine after considering all of the evidence.

	<p>Previous IOPC/IPCC investigations into fatal police shooting incidents</p> <p>In the 10-year period spanning 2013/14 – 2023/24, the IOPC, or its predecessor the IPCC, have undertaken 26 investigations into 28 people who died in police shootings. In the vast majority of our investigations, no potential misconduct or criminality has been identified for any officers.</p> <p>In 26 investigations, the officer who fired the fatal shot has been criminally investigated for their use of force only four times, and in two of those cases, the IPCC/IOPC referred the matter to the CPS (the fatal shootings of Jermaine Baker and Chris Kaba).</p> <p>Previous prosecutions of officers for murder following investigations by the IPCC/IOPC</p> <p>Since the IPCC was introduced in 2004 (replaced by the IOPC in 2018), only one other officer has been charged with murder following a fatal police shooting (the death of Azelle Rodney in 2005). PC Anthony Long was found not guilty of murder following a trial in 2015.</p> <p>In 2021, PC Benjamin Monk was jailed for eight years for manslaughter over the death of Dalian Atkinson in 2016, who was Tasered multiple times and kicked in the head. He was cleared of murder.</p> <p>ENDS</p>
<p>Ref <u>5025262</u> Back to top</p>	<p><u>IOPC cases from Home Office Police Forces</u></p>
<p><u>Request</u></p>	<p><i>In 12 month period 01.06.23 to 01.06.24</i></p> <p><i>How many cases were sent to the IOPC by Home Office Police Forces</i></p> <p><i>AND</i></p> <p><i>What percentage of cases sent resulted in a charge, summons, or other judicial disposal.</i></p>
<p><u>Response</u></p>	<p>We have understood your request as relating to the referrals we have received from police forces during this period. Forces are legally required to refer certain matters to the IOPC, such as a death or serious injury (DSI), following contact with the police. When we receive a referral, we decide whether the matter should be investigated by us or passed back to the police. Where we determine that no investigation is required, we refer the matter back to the force ('return to force' or 'RTF') to handle in whatever 'reasonable and proportionate manner' it decides.</p> <p>Please find attached a table showing the referrals we received from each of the 43 Home Office police forces in the year to 1 June 2024. As confirmed in the table, we received 7,094 referrals in this period, 468 of which (6.6%) resulted in an investigation carried out by either the IOPC itself, or an IOPC directed, managed or supervised investigation.</p> <p>The IOPC does not collect data about the criminal or disciplinary outcomes of the matters investigated by police forces. For this reason, we do not hold the data required under the second part of your request.</p> <p>We would emphasise that some investigations do not involve any officers or members of police staff whose conduct is investigated under the Police Conduct Regulations. This is always the case with the investigation of a matter referred as</p>

a DSI matter in which no complaint or conduct matter subsequently comes to light. Of the 7,094 referrals in this period, 3,470 were DSI referrals.

We report on the outcomes of our own investigations in our [Investigation outcomes reports | Independent Office for Police Conduct \(IOPC\)](#) These include information about criminal and disciplinary outcomes. The most recent report covers outcomes recorded in the year to 31 March 2023. We have yet to gather all the data for our report for the year to 31 March 2024 and anticipate that this will be available on our website around April 2025.

As you have asked specifically about judicial disposals, we would emphasise that an investigation by the IOPC or police may not be completed within a year of the referral being made and any subsequent proceedings can conclude months or years after our investigation has finished. It is likely, therefore, that only a small minority, if any, of the matters referred in the year to 1 June 2024 are linked to completed judicial proceedings.

Please note that some matters that lead to a criminal or disciplinary outcome for a police officer or staff member are not referred to the IOPC.

Information recorded by force Professional Standards Departments about the outcomes of misconduct and criminal investigations is published by the Home Office in their [Police misconduct statistics - GOV.UK](#). This includes information relating to IOPC investigations.

OFFICIAL SENSITIVE: Data For Internal Use Only

Permission for use other than requested must be sought from the Performance Team.

Caveats & Notes

Data is for illustrative purposes only.

This data considers overt referrals only

The following data is based on Referrals received by the IOPC in the period 01.06.2023 to 01.06.24 (inclusive)

This information is taken from live data and as such may differ from previously published data & statistics.

The appropriate authority, as well as other case attributes, is dependent on accurate data recording in our Case Management System by operational teams.

Some case references have blank decision because no decision recorded against them

MOI Decision	Count of CASE_REFERENCE
Managed	1
Pending	1
Supervised	1
(blank)	25
Directed	31
Invalid	107
Independent	435
Return to Force	2040
Local	4453
Grand Total	7094

<p>Ref 5025268 Back to top</p>	<p><u>Police compliance with recording complaints</u></p>
<p><u>Request</u></p>	<p><i>“Since 2020 your statutory guidance reads:</i></p> <p><i>“A complaint must be recorded under Schedule 3 to the Police Reform Act 2002, and handled in accordance with the provisions of that Schedule, if at any point the person making the complaint wants it to be recorded.”</i></p> <p><i>This is derived from the Police Reform Act 2002 Paragraph 2, Schedule 3, Police Reform Act 2002</i></p> <p><i>However there is no longer an appeal route to you when police fail to record complaints in these circumstances meaning there is little apparent action a complainant can take when police fail to comply with the law in this regard.</i></p> <p><i>Please supply all information you hold on efforts made by you to ascertain the extent to which police forces comply with the legal requirement to record complaints when asked to. These would be in line with your function to monitor compliance.</i></p> <p><i>Please supply any information you hold which is disclosable regarding levels of non compliance with the legal requirement to record complaints when asked, broken down if possible by Police force.”</i></p>
<p><u>Response</u></p>	<p>The IOPC’s Oversight team exists to hold police forces to account for their performance in complaint handling and aims to drive up standards through our strategic relationship with forces and local policing bodies. The team provides technical expertise and guidance and analyses data to identify patterns and trends or performance issues in forces.</p> <p>We monitor forces’ recording practices through the data we collect and publish in our quarterly police force bulletins. This data is used to inform our oversight activities with forces, is available to Local Policing Bodies who perform a local oversight function and is available for public scrutiny.</p> <p>Section A1.2 of the bulletins include data on the reasons for complaints being recorded. Within this there are discrete entries for ‘Complainant wishes the complaint to be recorded’ and ‘Dissatisfaction with initial handling’ which are routes through which complaints that do not meet the mandatory recording thresholds can be recorded and handled under Schedule 3 PRA at the complainant’s request, or when they are dissatisfied with initial handling outside of Schedule 3. This allows us to see how frequently the forces record that these options have been exercised by the public.</p> <p>Regarding non-compliance with paragraph 2(6A) Schedule 3, there is no system in place to collect data and report to the IOPC on instances of forces declining a request that a complaint be recorded under Schedule 3 in accordance with this paragraph.</p>

	<p>We are aware that there are significant differences between forces in terms of the number of complaints they handle informally (outside schedule 3). Our Oversight Team has begun work on checking why there is such a high level of variation in recording practice. We will consider whether the higher level of informal handling in some forces is appropriate and, if it is, if there are opportunities for more forces to do more informal work on less serious complaints and, in turn, reduce demand in the formal complaints system. We are carrying out dip samples and discussions with selected forces aimed at identifying any improvements in practice on informal complaints handling for sharing with forces nationally.</p> <p>While this work could identify instances of non-compliance with paragraph 2(6A) only where this comes to light through dip sampling, it is by means of projects of this type that the IOPC is able to gain an insight into complaints handling practices and adherence to the recording requirements. Should any cases of non-compliance be identified we will consider how this should be addressed and whether it may be appropriate to issue any wider advice aimed at improving practice more widely.</p> <p>Our publication Focus Issue 13 – Handling Complaints – decisions and thresholds gives practical advice on recording and covers scenarios where complainants ask for their complaints to be recorded. Our Focus series is produced by our Oversight Team and supports police force professional standards departments and local policing bodies in handling complaints appropriately and improving standards.</p> <p>Paragraph 2(6A) Schedule 3 applies only when the matter meets the definition of a ‘complaint’ under section 12 of the Police Reform Act 2002. For information about what is a complaint and who can make one, we would refer you to Focus Issue 13 and Chapter 5 of our Statutory Guidance on the police complaints system.</p>
<p>Ref 5025281 <small>Back to top</small></p>	<p>Investigation into death of Sean Rigg</p>
<p><u>Request</u></p>	<p><i>“I am writing in regard of the death of Sean Rigg, I would like to request any and all relevant documents on the investigation that took place subsequent to Mr. Riggs’ death.”</i></p>
<p><u>Response</u></p>	<p>We have made extensive publications regarding this investigation including the 162 page report and a further review report which are still available on the National Archives website here: https://webarchive.nationalarchives.gov.uk/ukgwa/20131004165058/http://www.ipcc.gov.uk/investigations/sean-rigg-metropolitan-police-service. Further information is available on our website here: https://www.policeconduct.gov.uk/search/content?keys=sean+rigg</p>